

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHEE NOU XIONG,

Plaintiff,

v.

DANE COUNTY CIRCUIT COURTHOUSE,

Defendant.

ORDER

Case No. 23-cv-384-wmc

On June 8, 2023, I entered an order giving plaintiff Chee Nou Xiong until June 29, 2023, to submit an amended affidavit of indigency for plaintiff to explain to the court how plaintiff pays for basic necessities, and for plaintiff to provide actual gross monthly income from all sources for the last 12 months. Dkt. 4. On June 15, 2023, plaintiff submitted an amended affidavit of indigency, indicating that plaintiff has monthly expenses that total over \$500, however plaintiff reports \$0 monthly income and \$0 in the last twelve months from any other sources of income. Dkt. 5.

From plaintiff's amended affidavit of indigency, I cannot determine whether plaintiff qualifies for indigent status. The affidavit indicates that plaintiff is self-employed, has no income and is not married. However, plaintiff does not include information on how plaintiff pays for basic livings expenses like food and shelter, and over \$500 in monthly expenses and \$1400 in car repairs that plaintiff reported in the amended affidavit of indigency. Without this information, I am unable to determine whether plaintiff qualifies for indigent status. Therefore, I will provide plaintiff with the one more opportunity to supplement the request for leave to proceed without paying the filing fee by completing the enclosed affidavit of indigency. **When completing the affidavit, plaintiff should take care to show how**

basic necessities are paid, and include plaintiff's actual gross monthly income from all sources for the last 12 months.

ORDER

IT IS ORDERED that plaintiff Chee Nou Xiong, may have until July 7, 2023, to amend and return the affidavit of indigency, **taking particular care to show how basic necessities are paid, and include actual gross monthly income from all sources for the last 12 months.** If plaintiff fails to provide this requested financial information, then the court will deny the request for leave to proceed without prepayment of the filing fee for failure to show indigency.

Entered this 16th day of June, 2023.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

CHEE NOU XIONG,

Plaintiff,

v.

ORDER

Case No. 23-cv-384-wmc

DANE COUNTY CIRCUIT COURTHOUSE,

Defendant.

**NON-PRISONER REQUEST TO PROCEED IN DISTRICT COURT
WITHOUT PREPAYING THE FILING FEE**

Answer the following questions to the best of your ability.

Note: If you do not tell the truth, the court may dismiss your lawsuit.

I. Personal Information

- 1) Are you employed? ☐ Yes ☐ No
- 2) Are you married? ☐ Yes ☐ No
If “Yes,” is your spouse employed? ☐ Yes ☐ No
- 3) Do you have any dependents that you are responsible for supporting?
☐ Yes ☐ No
If “Yes,” list them below:

<u>Name or initials (for minor children only)</u>	<u>Relationship to You</u>	<u>Age</u>	<u>Amount of Support Provided per Month</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

- II. Income** - If you are married, your answers ***must include your spouse's income.***
 (When calculating income, include any wages, salary, rent, child support, public assistance, unemployment compensation, disability payments, life insurance payments, pensions, annuities, workers' compensation, stock dividends and interest, gifts and inheritance, or other money you receive from any source.)

1) State your total *monthly* wages or salary? \$ _____

2) Provide the name and address of your employer(s):

3) State your spouse's total *monthly* wages or salary? \$ _____

State the amount of money you have received from any other source in the last twelve months, such as the sources listed above. Please attach an additional sheet if necessary.

Source of income

Amount

\$ _____

\$ _____

- III. Expenses** - If you are married or have dependents, ***your expenses should also include your household's expenses.***

(When calculating household expenses, you may include groceries, clothing, medical costs, utilities that are not included in your rental payments, transportation, and insurance.)

1) Identify the following amounts that you pay per month:

☐ Rent or ☐ Mortgage \$ _____

Car payment(s) \$ _____

Alimony or court-ordered child support \$ _____

Credit card payment(s) \$ _____

- 2) Do you have any other *monthly* expenses that you have not already listed?
☐ Yes ☐ No

If "Yes," list them below:

<u>Expense</u>	<u>Amount</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____

- 3) What are your total *monthly* expenses? \$ _____

IV. Property - If you are married, your answers must *include your spouse's property*.

- 1) Do you own a car? ☐ Yes ☐ No If "Yes," list car(s) below:

<u>Make and Model</u>	<u>Year</u>	<u>Approximate Current Value</u>
_____	_____	\$ _____
_____	_____	\$ _____

- 2) Do you own your home(s)? ☐ Yes ☐ No

If "Yes," state the approximate value(s). \$ _____

What is the amount of equity (assessed value of residence minus outstanding mortgage balance) in the home(s)? \$ _____

- 3) Do you have any cash or checking, savings, or other similar accounts?
☐ Yes ☐ No

If "Yes," state the total of such sums. \$ _____

- 4) Do you own any other property of value, such as real estate, stocks, bonds, trusts, or individual retirement accounts (e.g., IRA, 401 k), artwork or jewelry?

☐ Yes ☐ No

If “Yes,” describe the property and the approximate value(s).

- V. **Other Circumstances** - Describe any other financial circumstance(s) that you would like the court to consider when reviewing this petition.

I, _____, declare that I am the plaintiff bringing this complaint. I declare that I am unable to prepay the fee and that I am entitled to the relief sought in the complaint.

Date

Signature - Signed Under Penalty of Perjury